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**ATTORNEYS FOR DEFENDANTS**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Nichia Corporation,  
Plaintiff,

v.

Seoul Semiconductor Co., Ltd. and Seoul  
Semiconductor, Inc.,  
Defendants.

Case No.: 3:06-CV-0162-MMC (JCS)

**STIPULATION REGARDING POINT OF  
NOVELTY ISSUES AT TRIAL; ORDER THEREON**

Judge: Maxine M. Chesney

Case No.: 3:06-CV-0162-MMC (JCS)

STIPULATION REGARDING POINT OF NOVELTY ISSUES AT TRIAL

**STIPULATION**

The parties, by and through their attorneys, hereby stipulate that:

WHEREAS Plaintiff Nichia Corporation (“Nichia”) and Defendants Seoul Semiconductor Co., Ltd. and Seoul Semiconductor, Inc. (collectively “Seoul”) seek to streamline the presentation of evidence related to issues raised in the trial of this matter;

NOW THEREFORE, it is STIPULATED and AGREED as follows:

1. For the purpose of the infringement analysis in this matter, all points of novelty in the patents in suit, U.S. Design Patents D491,538, D490,784 (the “’784 Patent”), D503,388 (“the ‘388 Patent”), and D499,385 (“the ‘385 Patent”), if any, relate solely to the features of the LED electrodes. None of the features of the elongated rectangular body will be considered as points of novelty.

2. This Stipulation, and the agreements it contains, shall not used for any purpose other than as set forth above.

Foley & Lardner LLP

DATED October 22, 2007

By: /s/Kenneth E. Krosin  
Kenneth E. Krosin  
Attorneys for Plaintiff Nichia Corporation

Bingham McCutchen LLP

By: /s/Beth H. Parker  
Beth H. Parker  
Attorneys for Defendants  
Seoul Semiconductor Co., Ltd., and  
Seoul Semiconductor, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

1 DATED: October 23, 2007

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3 By: Maxine M. Chesney  
4 THE HONORABLE MAXINE M. CHESNEY  
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